



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

610 – TOWING OF VEHICLES

GENERAL ORDER: 2012-19

ISSUED: June 21, 2012

EFFECTIVE: June 21, 2012

ACTION: Amends General Order 2010-27 (October 18, 2010)

610.00 PURPOSE

The purpose of this Standard Operating Procedure is to establish guidelines regarding to towing and storage of non-Departmental vehicles.

610.05 VEHICLE SEARCH/PROPERTY INVENTORY

- A. In order to safeguard citizens' property, protect the city from claims of theft or negligence, protect members from spurious claims, and for the safety of members, towed vehicles shall be thoroughly searched (including boats, trailers, mobile homes, etc.) for items of apparent value.
- B. This search shall encompass the entire vehicle accessible by key, including the passenger compartment, glove box, and trunk. All containers, whether locked or unlocked, shall be opened and their contents examined if accessible by key or other means without causing damage.
- C. The inventory search should be conducted at the scene prior to the tow, but may be conducted at the impoundment lot or some other location if circumstances dictate. All property of apparent value shall be removed from the vehicle and recorded on an Inventory Report (Form PP-32). Members shall furnish the inventory number to the Department of Public Works (DPW) Parking Enforcement Desk for insertion on the Tow Record. Members shall also document inventory number(s) on a Tow Authorization (Form PT-27).
- D. Members shall document on the Tow Authorization that an inventory search was conducted and what property was recovered and inventoried.
- E. Members who fail to inventory personal items of apparent value found in an unlocked vehicle shall be directed to return to the tow scene or impoundment area to inventory said property.
- F. In the event a vehicle is LOCKED, members shall not attempt to gain entry, but shall document on the Tow Authorization any items that are visible in plain view within the vehicle, and any equipment that may be secured or attached to the outer portion of the vehicle, such as a snowplow or ladder. Such notations shall be placed in the area titled "Comments."

- G. The physical condition of the vehicle shall be properly documented under the area entitled "Damages."
- H. **TOWING CONTRACTORS ARE FORBIDDEN TO ENTER ANY LOCKED VEHICLE AS PER THE CITY OF MILWAUKEE TOWING CONTRACT.**
- I. Mini-bikes and mopeds which have engines under 51 cubic centimeters, shall be transported by Department vehicle and placed on inventory as indicated in the Standard Operating Procedures for Property, 560.

610.10 TOWING DATA REQUIREMENTS

A. TOW REQUEST

To initiate a tow request, members shall contact the Parking Enforcement Desk and furnish the following information in the order given below to conform with the information listed on the Tow Authorization (Form PT-27).

- 1. Squad number
- 2. People Soft number (investigating member making the Request)
- 3. Date and time
- 4. Make, model and style of the vehicle
- 5. Year and Color of the vehicle.
- 6. Vehicle license plate number, state of registry, and expiration date.
- 7. Vin Number.
- 8. Address of tow location
- 9. Violation Code Number
- 10. Citation Number / Incident Report Number (IR) if applicable
- 11. Advise Parking Enforcement Desk personnel if the vehicle is operable or non-operable
- 12. Advise Parking Enforcement Desk personnel of the number of tires on the vehicle and/or the number of flat tires on the vehicle.
- 13. If the vehicle is being towed as evidence, the member completing the Tow Authorization (Form PT-27) **MUST** provide the Parking Enforcement Desk with the Incident Number and the name of the supervisor assigned to the Criminal Investigation Bureau who authorized the evidence tow.

B. SPECIAL CIRCUMSTANCES

- 1. Members shall advise Parking Enforcement Desk personnel of any additional circumstances that might necessitate special towing equipment not normally used for a conventional tow. (Heavy duty towing; heavy lifting; winching).
- 2. Oversized Vehicles: Any oversized vehicle that cannot be towed by the City contractor shall be towed by the Municipal Fleet Services and Operations.
- 3. The Parking Enforcement Desk shall be advised at the time of the tow request and shall make contact with Fleet Services for a tow as required.

610.15 POLICE MEMBER RESPONSIBILITIES**A. GENERAL TOWING PROCEDURES**

1. Furnish tow data information as indicated in 610.10.
2. Complete the Tow Authorization and insert tow number.
3. Perform vehicle search as indicated in 610.00.
4. If personal items are recovered, advise the Parking Enforcement Desk of the Inventory Report number for data entry into the Tow Record and document on the Tow Authorization.

B. NO TOW PROCEDURES

1. A "NO TOW" shall mean a situation in which the contractor has been called to tow a vehicle but the vehicle has been removed from the scene by the owner or operator, or the vehicle can be legally left at the scene, or when the owner claims the vehicle before it is connected to a tow truck.
2. If a "NO TOW" situation develops before a member departs the scene of the tow, members shall notify the Parking Enforcement Desk to cancel the tow truck.
3. Once a vehicle is connected to the tow truck, it must be towed to the tow lot and the owner of the vehicle can claim it from that location during normal business hours.
4. If the owner of the vehicle is arrested on warrants or commitments and the vehicle cannot be legally parked, the vehicle shall then be towed as "PRISONER'S PROPERTY."
5. Members shall not permit any person without a valid operator's license and vehicle insurance to operate a vehicle or remove a vehicle from the scene. When a vehicle is recovered by the owner, it is the responsibility of the owner to ensure that a valid licensed operator remove his/her vehicle from the scene.

C. REQUEST FOR DUPLICATE PAPERWORK

Should a towing contractor request duplicate paperwork, i.e., Tow Authorization (Form PT-27) at a tow scene, the Parking Enforcement Desk will contact the member originally requesting the tow, and have that unit return to the tow scene to reissue the form. The Parking Enforcement Desk may make other arrangements if the original unit is not available. Members issuing a duplicate Tow Authorization shall write the word "Duplicate" on the top front of the form.

610.20 VEHICLE TOW CATEGORIES AND TOWING PROCEDURES**A. RECOVERED STOLEN VEHICLE TOW**

1. Members shall notify the Stolen Vehicle Desk when they recover a stolen vehicle. The Stolen Vehicle Desk will complete the Milwaukee Police Department Vehicle Recovery Information Worksheet and contact the vehicle owner. Recovery information must be entered into the recovery section of the stolen vehicle incident report.
2. If the stolen auto cannot be disposed of at the recovery scene by owner notification, the member shall have the car towed to the city tow lot as "stolen."
3. Police members shall complete an Incident Report whenever a stolen auto is recovered as well as notifying the Stolen Vehicle Desk of all recovery information.
4. Police members shall complete a Supplement Report in the event of additional investigative information.

B. SAFEKEEPING TOW

This tow category is to be used only when:

1. The owner/driver is unable to authorize a tow.
2. Ownership is in question.
3. The vehicle appears as "possibly stolen", e.g., column damage, but not yet reported.

C. PRISONER'S PROPERTY TOW

1. Perform the vehicle search as indicated in Section 610.05.
2. Furnish tow data information as indicated in Section 610.10.
3. Furnish the Parking Enforcement Desk with the prisoner's name, address, date of birth, and offense type.
4. Advise the Parking Enforcement Desk of the Department inventory number if any property has been removed.

D. PRIVATE TOW

1. A Private Tow is a personal financial agreement between the owner/operator of the vehicle and the towing service company of his/her choice.
2. Requests for private tows using city towing contractors shall be received and dispatched by the Parking Enforcement Desk personnel. No records of private tows will be maintained.
3. Any other requests for private tows may be handled by the district station console operator, the officers at the scene, or by the vehicle owner/operator from any available public or private telephone.

E. EVIDENCE TOW

Authorization for a vehicle to be towed as EVIDENCE must be obtained from a supervisor of the Criminal Investigation Bureau.

1. Perform the vehicle search as indicated in Section 610.05.
2. Furnish the tow data information as indicated in Section 610.10, and in addition, provide the Parking Enforcement Desk with the name and People Soft number of the investigating officer/detective and the name of the CIB supervisor who authorized the evidence tow, the reason for the tow, the type of investigation (in the comment's section), and the incident number.
3. Complete a Tow Authorization Report (Form PT-27) and add the assigned tow number and Incident Number.
4. The member shall follow the evidence vehicle to the city tow lot (3811 W. Lincoln Ave.) and have the vehicle stored in the heated Milwaukee Police designated garage (3715 W. Lincoln Ave.) designated as the "Z" building.
5. The member who followed any evidence tow will be **REQUIRED** to fill out the day-book that is located in the office inside the "Z" building. The information that will be needed will already be denoted in the day-book, the officer will just have to fill in the blanks. This information will help the tow lot officers in the organization of these vehicles.
6. Before the end of the members' tour of duty officers will be required to go onto the CIB SharePoint site and initiate a new Evidence Vehicle entry. This is located on the left column menu of the CIB SharePoint site. In addition, the chain of custody must be documented by completing a supplemental report to the original incident report.

7. If the investigating officer is seeking to permanently seize the vehicle being towed, complete an Evidence Vehicle Seizure Report (Form PV-6) in duplicate and forward to the appropriate division in the Criminal Investigation Bureau where the tow was authorized.
8. If any property has been removed, provide the Parking Enforcement Desk with the Inventory Report number for data entry into the Tow Record.
9. Vehicles towed as evidence shall be placed on an evidence "hold" for a maximum of seventy-two (72) hours. After seventy-two (72) hours, the towing officer or investigating member shall, once the vehicle has been processed, request the change of status of the towed vehicle to "Safekeeping." This will cause the owner to be notified that the vehicle is available for release.

The commanding officer of the Criminal Investigation Bureau Metropolitan Investigations Division shall be notified of each vehicle whose status is to be changed from "Evidence" to "Safekeeping," or of vehicles that must remain on evidence "hold" for investigative reasons. The commanding officer of the Metropolitan Investigations Division shall review each request for release or extension and make a recommendation to approve or deny the requests

Note: Under NO circumstances shall a "hold" be requested by a member for a vehicle not towed as evidence.

10. When releasing a vehicle towed as evidence, the detective/officer shall follow procedures as outlined in Section 610.40. It is the responsibility of the investigating officer/detective to notify the officers at the tow lot by phone **REDACTED** or department email. It is the detective/officer's responsibility to then notify the owner of the change in the vehicle's status.

F. PROCESSING OF EVIDENCE VEHICLES

All vehicles shall be processed and released on the scene where the vehicle was located in most cases. The only exclusions would be vehicles that are evidence of homicide, fatal accidents or officer involved incidents, extreme weather conditions, or an exigent circumstance determined by a supervisor of CIB.

In exceptional cases, a vehicle may be released without payment of the storage fees. A Release of Towed Vehicle (Form PR-16) shall be prepared and signed by the supervisor authorizing the release. This form shall include the date of release, the supervisor's signature and People Soft number, as well as an explanation for the release. In most cases, follow the procedures indicated in 610.30. **The towing fees will remain unless released by a captain assigned to the CIB or the city attorney's office.**

1. An evidence vehicle will be processed at the “Z” building located at the city tow lot. When the processing of the vehicle is complete, the investigating officer/detective must determine, after being reviewed and approved by a CIB supervisor, what type of storage the vehicle requires.
2. Tow lot officers will be responsible for the care, custody, and control of evidence vehicles at the city tow lot.
3. Tow lot officers will maintain keys for evidence vehicles when provided. Only keys for the evidence vehicle will be accepted. House keys and all other keys, rings, and decorative key chains will not be accepted and should be inventoried.
4. Officers shall hang the evidence key(s) in the office which is located inside the “Z” building.
5. Tow lot officers will conduct an ongoing audit of all evidence vehicles that will require periodic inquiries with the responsible officer. **An open line of communication is required between the responsible officer(s)/detective and the tow lot officers while a vehicle remains in evidence status.** For the purpose of the audit, tow lot officers may require information including case numbers, officer/detective in charge, charges issued, ADA in charge of the case, trial and appeal dates.

G. EVIDENCE VEHICLE STORAGE AT THE CITY TOW LOT

1. Evidence cars which were normally towed to the PAB will now be taken directly to the city tow lot located at 3811 W. Lincoln Ave.
2. An evidence vehicle **must** have a tow number and incident number.
3. A determination must be made on what type of storage the evidence vehicle requires:
 - a. Outdoor Storage
 - b. Indoor Storage Only/No heat required
 - c. Indoor storage with heat – For evidence vehicles in need of drying out or for processing of a vehicle.
4. Secured/Alarmed Storage Facility
 - a. This building is alarmed and equipped with 24 hour video surveillance. Officers, detectives and/or forensic investigators who will be following an evidence tow or processing one, will have to use their ID card to disarm the alarm in order to gain entry.

- b. There is a black security pad next to the overhead door (similar to those located at district stations and the PAB). The member will have to put their ID up to the pad at which time a beep will be heard and a green light will illuminate indicating the door is unlocked. Inside there is a button in order to open the overhead garage door for the tow.
- c. Before leaving the building the alarm **must** be reactivated. To do so there will be a numbered key pad to the right of the door on the inside of the building. The overhead door must be closed first before you are able to reactivate the alarm. There will be a button on the key pad in the lower left hand corner which will read, "CMD/ENT." This button will need to be pushed **TWO** times and the member should present their ID card to the right side of the card reader. The display screen should read, "EXIT NOW." You will have **30 SECONDS** to exit the main service door. You must ensure the door is closed tightly upon exiting.
- d. If for some reason you are still in the building after the alarm has been activated, you will need to present your ID card in front of the card reader and the display will read the alarm is deactivated. After approximately one minute you can reactivate the alarm by following the instructions in the above paragraph.

5. District Attorney

- a. In those cases where a subject(s) has been charged in court and the District Attorney's Office wishes to retain a vehicle as evidence, the vehicle must be relocated to a county facility by a Milwaukee County towing contractor within twenty-four (24) hours of that order. It is the responsibility of the officer/detective in charge of the investigation that all the necessary forms are filed with the D.A.'s office.
- b. When the District Attorney's Office orders a vehicle to remain as evidence, a representative of the District Attorney's Office must sign the Release of Towed Vehicle, *Form PR-16*. The representative must take possession of the vehicle and notes of the release must be entered into the tow record.

H. ABANDONED VEHICLE TOW

1. Definitions

- a. A vehicle shall be considered "ABANDONED" when it reasonably appears to be abandoned, it is in a state of disrepair, and lacks valid registration plates. Disrepair here means incapable of being moved without assistance. The officer shall radio the Parking Enforcement desk in this instance to request an immediate tow for "Obvious Disrepair."

- b. Further, a vehicle shall be considered "ABANDONED" when it has been allowed to remain on a highway or public property for more than 72 hours **after** a police officer or parking checker placards the vehicle, **AND** 48 hours after the mailing of a notice to the last known address of the owner.
- c. In addition, any vehicle may be considered "ABANDONED" when there is an accumulation of ice and snow. Police personnel shall contact the district console operator to request a vehicle check and then placard the vehicle and enter the tow number in the upper right hand corner of the placard. Police personnel shall enter all required information on the lower portion of the placard and affix it to the driver's side window of the vehicle.
- d. Vehicles "ABANDONED" on private property are those that are in ordinary public view without the consent of the property owner or agent, and for longer than 72 hours **after** a police officer placards the vehicle.

2. Placarded Vehicles

- a. Once Department members placard a vehicle, the placarding form (PP-59) shall be faxed to the DPW Parking Enforcement desk REDACTED as soon as possible, but no later than the end of each shift. It shall be the responsibility of the DPW parking checkers to follow up on all placarded vehicles.
- b. The date, time, and People Soft number of the person faxing the placarding form to the DPW Parking Enforcement Desk shall be written on the form on the lines indicated. The original placarding form (PP-59) shall be retained at the district for 60 days and then destroyed.

3. Placard Forms

Pre-numbered placard forms shall be obtained through Printing and Stores Section.

I. UNREGISTERED VEHICLE TOW

1. Violation

No unregistered motor vehicle may be located upon any alley, street, highway, or public place within the city.

2. Definition

"Unregistered Motor Vehicle" means any motor vehicle that is not currently registered and which is located upon any alley, street, highway, or public

place for such time and under such circumstances as to cause the motor vehicle to reasonably appear to have been unregistered for not less than 30 days.

3. Upon determining that a parked vehicle is unregistered for not less than 30 days, police personnel shall issue a City of Milwaukee parking citation (Form PT-22) for "Parked Unregistered Vehicle" violating section 105.65.5 of the city ordinances, data processing code 960. Insert the tow number in the "comments" section of the citation.
4. After issuing the citation, members shall receive a tow number and complete a Tow Authorization (Form PT-27). An inventory search shall be completed in accordance with Section 610.00.
5. Upon returning to their work locations, members shall obtain a copy of the registration teletype, attach it to the Department copy of the Tow Authorization, and forward the paperwork to the Parking Enforcement Desk.

J. ILLEGALLY PARKED VEHICLE

1. Criteria

Police personnel are authorized to order the towing of an illegally parked vehicle meeting the following criteria:

- a. Tow away Zone and Snow Route Zone - Ord. 101-24(1)
- b. Blocking a Driveway - Ord. 101-24.1
- c. Snow Emergency Conditions - Ord. 101-26, and:
 - A snow emergency must be publicly declared by the Commissioner of Public Works.
 - Authority from a supervisory officer to tow a vehicle based upon serious impairment to snowplow operations.
- d. Blocking Traffic - Ord. 101-24.2
- e. Vehicles Illegally Parked on a Highway having:
 - Two or more open parking citations more than thirty (30) days old.
 - No plates - VIN number identifies vehicle owner as having two or more other open parking citations more than thirty (30) days old.

2. Procedure

- a. Members shall radio the district console to check for open citations over thirty days old and any warrants or commitments open for the registered owner of the vehicle.
- b. Members shall contact the Central Records Division **REDACTED** to verify that active state felony warrants are on file and the Sheriff's Office to verify any misdemeanor warrants.

K. STREET CONSTRUCTION - BLOCKING TRAFFIC

Members shall ticket and tow for a violation of "Temporary No Parking Street Construction" (Code 742) after an attempt by the member is made to contact the owner to remove the vehicle.

L. SNOW EMERGENCY

1. A snow emergency shall be declared by the Commissioner of the Department of Public Works. The Department of Public Works will notify the Milwaukee Police Department Technical Communications Division Supervisor **REDACTED**. The Technical Communications Division supervisor shall then notify the applicable Department work locations via Teletype.
2. A snow emergency will remain in effect for 72 hours or until such earlier time when snowplowing operations have been completed (Ord. 101-26).
3. Enforcement may begin at 11:00 p.m. and continue until 6:00 a.m.
4. Members shall issue citations using Code 740, and Tow Authorizations (Form PT-27). They shall call in the required tow information to the Parking Enforcement Desk and receive a tow number for each vehicle to be towed. Vehicles are not to be towed before receiving the tow number.
5. Members shall use those radio channels designated for snow emergency operations to contact the Parking Enforcement Desk. All other non-emergency tows shall be suspended while this operation is in effect.
6. Vehicles will be towed to lots designated by the Department of Public Works.

M. REPOSSESSED VEHICLES

The Department does NOT authorize the towing of repossessed vehicles. This is a civil matter between financial institutions and their customers. However, the Parking Enforcement Desk is advised by financial companies of repossessions and upon notification each repossession is entered into the tow record file.

N. COURT ORDERED O.W.I. VEHICLE SEIZURE

Wisconsin State Statute 346.65 (6) (a) authorizes courts within the State of Wisconsin to order a law enforcement officer to seize a motor vehicle if the person who owns the vehicle has had their operating privilege revoked for multiple convictions of O.W.I. related violations. Members shall tow court ordered O.W.I. vehicle seizures.

1. Police involvement commences upon receipt of D.O.T. listing under category: 25 Act 277, (followed by the county that ordered the vehicle seized).

Examples: 25 Act 277 (40 Milwaukee)

VEHICLE SEIZURE

Or

25 Act 277 (67 Waukesha)

VEHICLE SEIZURE

2. Perform the vehicle search as indicated in Section 610.05.
3. Furnish tow data information as indicated in Section 610.10.
4. Furnish the Parking Enforcement Desk with the person's name, address, date of birth and offense type.
5. Advise the Parking Enforcement Desk of the Department inventory number if any property has been removed.
6. Members assigned to the Accident Reconstruction Unit will be responsible for processing these autos.
7. Questions regarding court ordered O.W.I. vehicle seizures should be directed to the Accident Investigation Section, ext. 7431.

610.25 TOW INQUIRIES

- A. Upon receipt of a tow inquiry by phone or in person, members shall check their computer terminal at their assigned work location using the "Duncan Solutions Auto Processing System" to determine if the vehicle was placarded or towed.
- B. Police District and Traffic Records Section personnel shall provide owners of abandoned or illegally parked towed vehicles with a copy of a Notice to all Owners of Towed Vehicles (Form PT-26), which outlines their options to reclaim their vehicles. Further, District and Traffic Records Section supervisors shall ensure that a copy of this form is prominently displayed at their respective locations.

1. Towed as Abandoned

If a vehicle has been towed to a storage lot as abandoned, refer the owner/claimant to the City Tow Lot between the hours of 8:00 a.m. and 6:00 p.m., Monday - Friday, and 8:00 a.m. to 12 noon on Saturdays. The City Tow Lot is closed on Sundays and all legal holidays.

2. Towed as Illegally Parked

If the vehicle was towed to a storage lot as illegally parked, the owner/claimant must be informed of the following:

- a. Advise as to the parking violation that caused the tow.
- b. Advise that the towing and storage charge must be paid before release of the vehicle unless otherwise ordered by the City Attorney's Office.

610.30 PROBABLE CAUSE REVIEW BY CITY ATTORNEY

- A. If the vehicle owner wishes a prompt review of the parking citation that caused the vehicle to be towed, the Traffic Records Section shall arrange for the owner to meet with the City Attorney (Prosecution Division) for review of the citation within one (1) business day of the request. The vehicle owner may challenge the basis for the tow and bring witnesses to support the owner's position. After this review, the City Attorney may determine that there is probable cause. The citation shall then be processed into court at the next regular session of the Municipal Court and, the City Attorney may release the vehicle without payment of towing and/or storage charges pending the disposition of the matter in court, or release the vehicle only upon payment of the towing and/or storage charges.

Note: After review by the City Attorney, the owner still has the option to stipulate to the parking citation and pay the towing and storage charge without being processed into Municipal Court.

B. NO PROBABLE CAUSE

If the City Attorney determines that there is **no probable cause**, the City Attorney may release the citation and the vehicle may be released without payment of the towing and storage charges. The City Attorney shall sign a form authorizing the release and attach same to the citation.

C. NO REQUEST FOR PROMPT REVIEW

If the vehicle owner does not wish a PROMPT REVIEW of the parking citation by the City Attorney's Office, the owner may:

1. Be processed into Municipal Court at the next regular session and if found guilty, pay the tow charge after court; **or**
2. If the violation is dismissed by the court, the owner shall obtain a release without payment; **or**
3. Prior to court appearance, obtain a release by paying the towing and storage charges which could then be refunded if found not guilty in court.

Note: If the vehicle owner does not challenge the citation, payment may be made and then obtain a release for the vehicle.

610.35 PROCESSING PAYMENTS AND FEES

A. DISMISSED CITATIONS

If the citation is dismissed by the Municipal Court, the City Attorney's Office will make arrangements for the release of the vehicle and any refund of payment for paid towing and storage fees.

B. OUTSTANDING PARKING CITATIONS

If the owner of the vehicle has any other outstanding parking citations, they will be processed in the Municipal Court along with the towing citation. However, the hearing on any non-towing citations need not be scheduled at the same time as the hearing on the towing citation.

C. REGISTRATION PLATES HELD BY STATE LAW

Prior payment of other parking citations shall not be a precondition for release of the vehicle. Registration plates required by state law to be held for non-payment will be confiscated and destroyed.

610.40 VEHICLE RELEASE PROCEDURE

In order to release a vehicle, the following procedure shall be followed by the officers assigned to the city tow lot: **This procedure is only necessary when the vehicle is held for evidence or some other extenuating factor.** If the vehicle was originally taken as Evidence, it must first be transferred to Safekeeping with the approval of the CIB Metro Division Captain before being released.

A. RELEASE TO OWNER

1. Photocopy the owner's driver's license or other documents that will substantiate identity.
2. Photocopy the title, Certificate of Registration, proof of insurance, Bill of Sale, or other positive proof of ownership.

3. Attach the above copies to the yellow copy of the Release of Towed Vehicle (Form PR-16), and forward to the CIB outside Jurisdiction Stolen Vehicle Desk.
4. The owner shall be given the white original of *Form PR-16*. Advise the owner to sign and date the form when claiming the vehicle at the contractor's lot.
5. New Owner Notification

If the last registered owner of the towed vehicle contacts the Traffic Records Section advising that he/she is no longer the owner of the vehicle, the Traffic Records Section shall notify the Parking Enforcement Desk for the mailing of a "Towed Vehicle Notice" to the new owner, if known.

B. RELEASE TO CLAIMANT OTHER THAN OWNER

1. Photocopy the claimant's driver's license or other documents that will substantiate identity.
2. Be certain to obtain a copy of the **required notarized letter** from the owner authorizing release of the vehicle to the named claimant.
3. Attach the copies to the yellow copy of the Release of Towed Vehicle (Form PR-16) and forward to the CIB Outside Jurisdiction Stolen Vehicle Desk.
4. The claimant shall be given the white original of *Form PR-16*. Advise the claimant to sign and date the form when claiming the vehicle at the contractor's lot.

C. RELEASE TO LIEN HOLDER

1. Photocopy the lien holder's agent's identification to verify the authority to claim the vehicle.
2. Photocopy the "Title Guarantee" (lien) of the lien holder.
3. Provide the agent with the white original of *Form PR-16*. Advise the agent to sign and date the form when claiming the vehicle at the tow contractor's lot.
4. Attach the copies to the Department copy of the Release of Towed Vehicle (Form PR-16) and forward to the CIB Outside Jurisdiction Stolen Vehicle Desk.

Note: Members shall advise the owner/claimant that he/she must have a valid driver's license and proof of insurance to pick up their vehicle.

D. ADDITIONAL PROCEDURES

1. Release for a vehicle shall occur during the posted office hours of the Tow Lot.
2. Release of Personal Property

During the posted office hours of the City Tow Lot, personal property located within the non evidence vehicle may be released to the owner by City Tow Lot personnel. A picture I.D. and title to the vehicle may be necessary.

610.50 TOWING/STORAGE FEES PAID DIRECTLY TO THE CITY TOW LOT

- A. The city tow lot accepts payments for vehicles stored at their facilities and can issue their own releases.
- B. Proof of ownership (Title), proof of insurance and valid D.L. must be presented prior to release.
- C. Acceptable methods of payment are Visa, MasterCard, money order, or cash.

610.55 OWNERS REQUESTING DISPOSAL OF A REGISTERED VEHICLE

- A. Owners who wish to dispose of registered vehicles that have been towed by the tow contractor and are disabled or otherwise inoperative, shall appear at the City of Milwaukee Tow Lot (3811 West Lincoln Avenue) and present the vehicle title for disposition. These vehicles must be processed by Tow Lot Officers at the tow yard.

B. TITLE ENCUMBERED

If the title is encumbered, the owner must present satisfaction of lien. If unable to do so, the owner shall be advised to remove the vehicle from its location or it will be towed as abandoned. Members processing such requests shall make a computer check of the VIN and license number as well as a check on the owner relinquishing claim to the vehicle to determine if any "wants" remain on the vehicle or owner, or if the vehicle has been placarded or towed as abandoned.

C. VEHICLE PLACARDED

If the title is unencumbered and/or the vehicle has been placarded, members processing such requests shall have a uniform squad report to the district station to pick up the vehicle keys and title, then proceed to the location of the vehicle as indicated by the owner.

- D. The officers so assigned shall ensure that:

1. The vehicle is properly parked.
2. Registration plates are removed.
3. The VIN conforms with that recorded on the title.
4. Inspection of the interior and trunk is performed for possible contraband and/or personal property. If found, such contraband and/or personal property shall be removed and inventoried as cited in Section 610.05.
5. Complete a Tow Authorization (Form PT-27) and write across the top, "Title Turned Over to the City."
6. Insert the tow number received from the Parking Enforcement Desk.
7. Enter on the reverse side of Form PT-27 (both original and Department copy) "Authorization to tow to recycling facility under contract with the City."
8. Ensure that the owner signs his/her name and address immediately below the entry made on Form PT-27.

E. In **all** cases where owners wish to dispose of a vehicle, it is the responsibility of the member to:

1. Check the identification of the person relinquishing claim to the vehicle to assure that he/she is the legal owner.
2. Have the owner endorse the unencumbered title in favor of the City of Milwaukee and write the tow number across the top.
3. Ensure that any pending violations against the vehicle or open citations/warrants against the owner are satisfied.
4. Complete a Property Receipt (Form PP-33) in duplicate, which will serve as a receipt for the title relinquished. Ensure that the title number, VIN, make, model, and year of the vehicle are correct and legible. Give the **original** of this form to the owner.
5. Contact the Parking Enforcement Desk to request that the towing contractor remove the vehicle being turned over to the City.

Note: The respective shift commander shall ensure that the signed title, along with copies of *Forms PP-33* and *PT-27* are forwarded to the Parking Enforcement Desk for processing.

610.60 TOW LOT MEMBERS' RESPONSIBILITIES

Members assigned to the City Tow Lot shall be responsible for the following:

- A. Ensure that any vehicle towed by the Department has been checked for outstanding "wants" or stolen, and that ownership has been determined.
- B. Work directly with the Parking Enforcement Desk regarding ownership conflicts, vehicle identification number discrepancies, verification by the use of confidential numbers, and illegible, missing, or switched identification numbers.
- C. Confirm statuses and tow lot locations for vehicles towed by the Department.
- D. Cooperate with the Department of Public Works (DPW) – Parking and Towing, regarding implementation of police related procedures in accordance with city ordinances and state statutes.
- E. Ensure that any towed vehicle shall not be disposed of if:
 - 1. Ownership is in question (Unless it can never be established),
 - 2. The vehicle is wanted or has been reported stolen,
 - 3. The vehicle has not been physically checked for contraband and valuables.
- F. Furnish the Parking Enforcement Desk with ownership information on those vehicles that have questioned ownership - if ownership can be determined.
- G. Update the Parking Enforcement Desk computer information for those vehicles still in storage after 20 days. This information, which is accessed by D.P.W. Parking and Towing, shall indicate:
 - 1. That the vehicle has been properly identified,
 - 2. That the vehicle is not wanted or stolen,
 - 3. That the vehicle has been checked for contraband and other items requiring inventory when title passes to the City,
 - 4. That the vehicle's owner or lien holder of record has been identified, whenever possible.
- H. If needed for investigative purposes:
 - 1. Members can obtain a copy of the letter sent by the D.P.W. Parking and Towing to the owner and to any lien holder of record regarding vehicles appraised at current contractual pricing.

2. Members can obtain a copy of the returned receipt or a copy of the letter sent via registered mail by the D.P.W. Parking and Towing regarding vehicles to be sold which are valued at current contractual pricing.
- I. Obtain a bid listing from the D.P.W. Parking and Towing for vehicles that were not claimed by the owner or lien holder within the allotted time, and check those vehicles for contraband and other items requiring inventory after the City takes title to the vehicles. All property shall be checked to see if it is reported stolen prior to being inventoried.



EDWARD A. FLYNN
CHIEF OF POLICE